

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BLUE SPIKE, LLC
Plaintiff,

v.

TEXAS INSTRUMENTS, INC.
Defendants

§ Civil Action No. 6:12-CV-499 MHS
§
§ LEAD CASE

BLUE SPIKE, LLC,
Plaintiff,

V.

AUDIBLE MAGIC CORPORATION,
FACEBOOK, INC., MYSPACE, LLC,
SPECIFIC MEDIA, LLC,
PHOTOBUCKET.COM, INC.,
DAILYMOTION, INC.,
DAILYMOTION S.A., SOUNDCLOUD,
INC., SOUNDCLOUD LTD., MYXER,
INC., QLIPSO, INC., QLIPSO MEDIA
NETWORKS LTD., YAP.TV, INC.,
GOMISO, INC., IMESH, INC.,
METACAFE, INC., BOODABEE
TECHNOLOGIES, INC., TUNECORE,
INC., ZEDGE HOLDINGS, INC.,
BRIGHTCOVE INC.,
COINCIDENT.TV, INC., ACCEDO
BROADBAND NORTH AMERICA,
INC., ACCEDO BROADBAND AB,
AND MEDIAFIRE, LLC
Defendants.

§ Civil Action No. 6:12-CV-576 MHS
§
§ CONSOLIDATED CASE

BLUE SPIKE, LLC,
Plaintiff,

V.

WIOFFER, LLC
Defendant.

§ Civil Action No. 6:12-CV-570 MHS
§
§ CONSOLIDATED CASE

**DECLARATION OF GUY WOLLMANN IN SUPPORT OF DEFENDANT
AUDIBLE MAGIC CORPORATION'S AND ITS CUSTOMERS' MOTION TO
TRANSFER VENUE TO THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN
DISTRICT OF CALIFORNIA UNDER 28 U.S.C. § 1404(a)**

I, Guy Wollmann, declare under penalty of perjury that the following is true and correct:

1. I am the CFO for Qlipso Media Networks Ltd. I have personal knowledge of the facts set forth in this declaration, or access to Qlipso Media Networks Ltd. and Qlipso Inc.'s (collectively "Qlipso") corporate information and records allowing me to confirm these facts. If called as a witness, I could testify competently to these facts under oath.
2. Qlipso Media Networks Ltd. is an Israeli limited liability company. Qlipso Inc. is a U.S. subsidiary of Qlipso Media Networks Ltd. Qlipso Media Networks Ltd. and Qlipso, Inc. are headquartered in the U.S. in Santa Monica, California
3. Qlipso has no operations, employees, or property in Texas.
4. Qlipso regularly conducts business in the San Francisco Bay Area and Silicon Valley.
5. The Qlipso products accused in the complaint in the above-referenced action incorporate Audible Magic technology accused in the complaint.
6. In March 2010, Qlipso entered into an agreement with Audible Magic, located in Los Gatos, California, wherein Audible Magic agreed to provide its Content Identification Services to Qlipso. This is technology accused by Blue Spike in the instant action. The Content Identification Services provided to Qlipso are, at all times, managed by Audible Magic on its computer servers and in its network operations center in Los Gatos, California and San Jose, California.
7. Qlipso interacted with Audible Magic technical and business personnel in Los Gatos, California to obtain the agreement with Audible Magic and with regard to technical aspects of the Audible Magic technology.
8. As part of its agreement with Audible Magic, Qlipso utilizes or accesses servers, databases, and software located in and/or originating from Audible Magic in Los Gatos,

California.

9. Qlipso has no access to, and no ability to alter, Audible Magic's proprietary source code used to run Audible Magic's Content Identification Services.

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct based on my own personal knowledge.

Executed on May __, 2013 in _____.


Guy Wollmann (Apr 30, 2013)

Guy Wollmann